

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. Date

Approved. Mayor

RESOLUTION ADOPTING THE RULES OF THE CITY COUNCIL
FOR 2013 – 2014

RESOLVED, that

The following Rules shall be and they are hereby adopted as the rules of the City Council for the ensuing term 2013 - 2014.

ORGANIZATION

RULE 1. The President shall preside. In the absence of the President, the President Pro-Tem shall preside and shall exercise all the powers and perform all the duties of the President. The President may speak on general questions as other members.

The President shall preserve decorum and order and shall decide all questions and points of order subject to an appeal to the City Council by any one member. No other business shall be in order until the question on appeal shall have been decided by a majority of the members present.

RULE 2. A majority of all members of the City Council shall constitute a quorum. A less number of members of the City Council than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by Ordinance. Seating assignments of Council members on the Council floor for meetings during the term shall be determined and assigned by the Council President.

RULE 3. Biennially, members of the majority party shall elect from their membership a majority leader, and members of the minority party shall elect from their membership a minority leader.

RULE 4. The City Council is a continuing body, and unfinished business pending before it shall not lapse or go down with the Council year, but all pending business before the City Council, or any committee thereof, at the termination of any Council year shall be considered as pending before the City Council of the next succeeding Council year, or the corresponding committee thereof and may be acted upon and disposed of by the Council of such succeeding year in the same manner and with the same effect as if no change in such City Council had taken place, by the expiration of a Council year.

COMMITTEES

RULE 5. There shall be biennially appointed immediately after the organization of the City Government, the Standing Committees of the City Council, the members of which shall hold office on such committees until the expiration of the period for which such members are elected to the City Council and until the expiration of the current municipal terms.

Each of the said Standing Committees shall consist of three members of the City Council, of which at least one member thereof shall be a member of the party having a minority of the Council. Said three members of said Standing Committees of the City Council shall be appointed by the President of the City Council, and a list of the members appointed to each Committee shall be filed by the President with the City Clerk. The member first named on a committee shall be the chairman thereof, and in case of his or her resignation or inability, the other members, in the order in which they are named, shall act as Chairman.

1 **RULE 6.** The Standing Committees are:

- 2 a. Finance Committee
- 3 b. Public Properties, Land Use Committee and Community Affairs
- 4 c. Public Safety Committee
- 5 d. Ordinance Committee
- 6 e. Intergovernmental Relations Committee
- 7 f. Appointments Committee
- 8 g. Economic Development Committee

9
10 The several committees shall consider all matters referred thereto and, in general, subject
11 to the provisions of Rule No. 30 governing referral to the committee. For the purpose of this
12 Rule, “consider” shall mean a vote on (i) a motion to report the resolution or ordinance to the
13 Council with the recommendation of favorable action, (ii) a motion to report the resolution to the
14 Council with the recommendation of unfavorable action, (iii) no recommendation, (iv) a motion
15 to report the resolution or ordinance to the Council as being held in committee for further study
16 for one (1) week or one (1) month.

17 No resolution or ordinance having been referred to any committee shall be tabled or held
18 in committee indefinitely, and upon the written request of the principal sponsor of said proposed
19 Resolution or Ordinance to the Council President, shall be discharged to the Council floor with
20 one of the above recommendations for consideration and vote by the Council at the meeting
21 scheduled two months after the meeting at which the request was submitted.

22
23 The committees shall have, respectively, the following duties and areas of consideration:

24
25 **Finance Committee**

- 26 1. All reports of the Finance Director, City Treasurer, City Assessor and all matters relative
27 to the City debt or to the revenue and expenditures of the City. It shall be their duty to re-
28 port to the Council from time to time their opinion on such matters herein mentioned and
29 such propositions relative thereto as to them shall seem expedient.
- 30
31 2. All matters pertaining to education in any form and any matters relative to libraries.

32
33 **Public Properties, Land Use Committee and Community Affairs**

- 34 1. All matters relating to the maintenance, erection, location and repair of City property and
35 buildings, the sale or exchange of tax title or surplus City property, the leasing of real and
36 personal property by the City of Warwick, excluding matters which are properly cogniza-
37 ble within the jurisdiction of any other committee as herein defined or any other City
38 board or agency.
- 39
40 2. All requests from various bureaus, fraternal and other organizations and all matters relating
41 to City playgrounds and recreations.
- 42
43 3. All matters relating to health, transportation of garbage, dumps, camps, parks, the keeping
44 and sale of milk, the care of the sick, etc.
- 45
46 4. All matters relating to the use of land, building or buildings, location, construction, peti-
47 tions for rezoning, applications for approval to alter wetlands under the Wetlands Act, so-
48 called, and petitions to abandon public highways within the City.
- 49
50 5. All matters relating to the protection, development, regulation and use of the natural shore,
51 harbors, and park resources of the City of Warwick.

52
53 **Public Safety Committee**

- 54 1. All matters relating to claims against the City arising from damage done by animals, or
55 arising from damage to property, or on account of injury to persons, and all matters per-
56 taining to the Police Department.
- 57
58 2. All matters relative to street lighting and pole locations, all matters relative to the Fire De-
59 partment, the location of street hydrants and fire alarm signals, the extension of the water
60 system, and the storage of petroleum products, hydro carbons or other hazardous materials,
61 including hazardous waste.

1 **Ordinance Committee**

- 2 1. All proposed ordinances, including matters which would otherwise be referred to another
3 committee, except ordinances relating to expenditure of City funds or financial matters.

4
5 **Intergovernmental Relations Committee**

- 6 1. Shall act as Council liaison between other City and State agencies such as the School De-
7 partment, General Assembly, Charter Commission, and other agencies as required.
8
9 2. All matters relating to litigation, all matters relating to public service corporations and the
10 relationship between Warwick and other cities and towns.
11
12 3. All matters relating to changes in the Warwick Code of Ordinances or the City Charter, but
13 excluding those matters specifically relating to the City debt, revenue or expenditures of the
14 City. All matters relative to the jurisdiction or operation of the Municipal Court.

15
16 **Appointments Committee**

- 17 1. Shall review all appointments requiring Council Approval.
18

19 **Economic Development Committee**

- 20 1. All matters relative to job creation, establishment of new businesses or expansion of exist-
21 ing businesses in the City of Warwick other than those matters under the jurisdiction of the
22 Land Use Committee or Finance Committee, and all matters relative to economic devel-
23 opment.
24

25 **RULE 7.** The President and the President Pro Tempore of the City Council shall serve ex officio
26 as a member of all Standing Committees but shall not have any vote on committee business, pro-
27 vided that, in the absence of a member of the Standing Committee, the President Pro Tempore
28 may serve on said committee as a voting member, and provided further that in the absence of
29 both a member of the Standing Committee and/or the President Pro Tempore, the President may
30 serve on said committee as a voting member.
31

32 **RULE 8.** A written record of all committee's proceedings shall be maintained. All committee
33 meetings shall be called for the transaction of committee business by the respective Chairman of
34 said committees. The Chairman shall call a meeting of any committee when a majority of the
35 members of said committee request such a meeting.
36

37 **RULE 9.** From and after the time any member of any committee of the City Council ceases to
38 be a member of the City Council, the member shall thereupon cease to be a member of such
39 committee. All vacancies on committees caused by death, resignation or temporary disability of
40 a member, or any other cause shall be filled by the President of the City Council.
41

42 **RULE 10.** Whenever a member of any committee of the City Council shall be called into mili-
43 tary service which may interfere with the member's duties as a member of such committee, the
44 President of the City Council may appoint some other member thereof to act as a member of such
45 committee pro tempore, and during the absence of such member, the member pro tempore shall
46 exercise all the powers and be subject to all the duties of such absent member. The powers and
47 duties of such pro tempore member shall forthwith cease whenever said original member shall
48 report to the President and to the City Clerk that military duties will no longer interfere with du-
49 ties as a member of such committee.
50

51 **MEETING DOCKET**

52 **RULE 11.** The order of business at regular or special business meetings shall be as follows:

- 53 1. Executive communications.
54 2. Consent Calendar:
55 Resolutions relative to bids
56 Resolutions relative to traffic studies (see Rule 13a)
57 Omnibus Resolution of Congratulations and Condolences (see Rule 13a)
58 Resolution relative to street lights (see Rule 13a)
59 Resolution relative to claims
60 Resolution relative to tax abatements

3. Unfinished Business, to include:
 - a. Second passage of ordinances not tabled.
 - b. First passage of ordinances not tabled.
 - c. Resolutions
 - d. Reports of Committees on items referred and previously tabled.
 - e. Removal of items from the table.
 - f. Action on items removed from the table.
4. New Business, to include:
 - a. Reports of Committees on new items referred at the preceding docket session
 - b. Action on newly docketed items

Provided however, that at all special meetings, the special business for which such meeting is called shall be first in order, and shall be taken up and exclusively considered until it is finally acted upon at such meeting.

No undocketed business shall be acted upon or considered at meetings except by unanimous consent of the Council Members present, subject to compliance with the Open Meetings law.

RULE 12. The order of business at regular or special public hearing meeting shall be as follows:

1. Executive communications
2. Referred business
 - A. Public hearings and actions thereon not initiated by petition or application.
 - B. Public hearings and actions thereon initiated pursuant to petition or application.
3. Consent Calendar: Resolutions relative to bids
4. Unfinished Business, to include:
 - a. Second passage of ordinances not tabled.
 - b. First passage of ordinances not tabled.
 - c. Resolutions
 - d. Reports of Committees on items referred and previously tabled.
 - e. Removal of items from the table.
 - f. Action on items removed from the table
4. New Business, to include:
 - a. Reports of Committees on new items referred at the preceding docket session.
 - b. Action on newly docketed items.

Provided however, that at all special meetings the special business for which such meeting is called shall be first in order, and shall be taken up and exclusively considered until it is finally acted upon at such meeting.

No undocketed business shall be acted upon or considered at meetings except by unanimous consent of the Council Members present subject to compliance with the Open Meetings law.

Only five public hearings, plus any previously docketed public hearings, shall be scheduled for a single City Council meeting, provided however, additional public hearings may be scheduled if a public hearing is required to comply with deadlines imposed by law or regulations and provided further that additional public hearings may be scheduled, if in the discretion of the Council President, additional public hearings will not inconvenience the public. This rule shall not apply to matters currently pending or filed with the City Council.

RULE 13. Consent Calendar Procedure:

a) In the order set forth in Rules 11 and 12, the Council President shall request the Chairperson of the Committee referring said matters to the full Council to move for favorable action on the items to be considered on the Consent Calendar. Only items being recommended for favorable action may be placed on the Consent Calendar. Items not receiving a favorable action recommendation from the Committee must be considered separately by the Council, immediately following the vote on the Consent Calendar.

Resolutions relative to traffic studies and the Omnibus Resolution of Congratulations and Condolences shall only appear for action by the City Council on the Consent Calendar docket at the first regular business meeting of each year. The number designations given to those Resolu-

tions at said meeting shall be utilized by the City Clerk during the year for all traffic studies and Resolutions of congratulations and condolences.

Resolutions relative to street lights shall only be placed on the Consent Calendar docket if there are street lights to be considered by the City Council at its meeting.

b) Upon receiving a second to the motion for favorable action, the Council President shall request the Chairperson of the Committee to describe the items recommended for action on the Consent Calendar.

c) Prior to voting on the Consent Calendar, a member of the City Council may request that item(s) on the consent calendar receive separate consideration by the City Council, in order to allow for discussion of the item or to cast a dissenting vote or to abstain on the item. There shall be one roll call vote on the Consent Calendar, which shall be deemed to be a vote on each of the items on the calendar. Any item removed from the calendar for separate consideration, shall be taken up and voted upon immediately following the vote on the Consent Calendar.

RULE 14. Notwithstanding anything to the contrary in these rules, as part of the Consent Calendar at the first regular business meeting each year, an omnibus resolution of congratulations and/or an omnibus resolution of condolence shall be considered. Upon passage of said resolution or resolutions, a number shall be assigned to the resolution by the City Clerk or Deputy.

If during the year subsequent to the regular business meeting any Council Member considers it appropriate that the congratulations or condolences of the City should be offered to any citizen, the Council Member may contact the City Clerk or Deputy who shall prepare the congratulations or condolences in resolution form with appropriate language using the omnibus number assigned followed by an alphabetical letter. Said Clerk or Deputy shall then transmit the document to the Mayor for approval and signature. Upon said signature, the Clerk or Deputy shall transmit the document as directed by the Council Member.

MEETINGS

RULE 15. Except in July and August, the City Council shall hold its regular meetings, both business and public hearing, in the Council Chambers located at the Warwick City Hall at 7:00 p.m. on the second and third Monday in each month, except in April, 2011 when the Public Hearing Meeting shall be held on the fourth Monday of the month.

If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the following Wednesday. The President shall take the chair at the hour designated for the meeting of the City Council, and shall promptly call the members to order.

There shall be one regular meeting in July and August that combines the Regular Business Meeting and the Public Hearing Meeting to be held on the second Monday of the month of July and the third Monday of the month of August.

RULE 16. It shall not be necessary for a proposed Ordinance or Resolution to be read in full when presented on the Council floor for consideration. It shall be sufficient for such proposed ordinance or resolution to be considered by title and proposed number as assigned by the City Clerk pursuant to Rule No. 30, provided however, that a majority of members present may request that a proposed Ordinance or Resolution be read in full, prior to consideration by the Council.

RULE 17. Members desiring to speak shall address the President, and after their right to speak has been recognized, they shall not be interrupted while speaking, except by a call to order, or for the correction of a mistake, or to yield to a member. They shall confine their remarks to the question under debate and shall avoid personalities.

No member shall speak more than once on the same question, until all other members desiring to speak thereon shall have done so. There shall be no conversation among members while a member is speaking, while a roll call is being taken, while any paper is being read or while a question is being stated by the President.

RULE 18. No persons, other than members of the City Council, members of the City Clerk's Office, members of the City Sergeant's Office, members of the Law Department and members of

1 the press shall be allowed inside the rail and on the floor of the City Council without receiving an
2 invitation from the President or from a member of the City Council, through and with the ap-
3 proval of the President.

4 On request of a majority of the members of the City Council, a department head or any
5 employee of the City of Warwick shall appear before the City Council to answer questions of
6 members and explain any matter members may desire information about. No person within the
7 rail shall speak unless requested to do so by the Council President.
8

9 **RULE 19.** The President shall enforce order and decorum among persons outside the rail and
10 any person addressing the City Council by permission or by request shall, while speaking, be
11 subject to the same rules and shall be entitled to the same privileges of order as pertain to a
12 member of the City Council, provided however, that a member of the City Council may interrupt
13 such speaker for the purpose of asking a question or obtaining information.
14

15 **RULE 20.** Any citizen of the City of Warwick may request to be heard on any docketed resolu-
16 tion or ordinance prior to passage by the City Council. Upon receipt of such request, the Council
17 President shall refer the requesting citizen to the committee to which the proposed resolution or
18 ordinance has been referred and the citizen shall be granted an opportunity to appear before the
19 committee at its scheduled committee meeting, to present his or her views relative to the pro-
20 posed resolution or ordinance.

21 The committee may recommend to the Council President, as soon as possible after its
22 committee meeting, that the citizen be given an opportunity to appear and speak before the entire
23 City Council when, in its judgment and by majority vote, such presentation by the requesting cit-
24 izen is warranted to aid the City Council in its deliberations. The recommendation of the commit-
25 tee shall be transmitted to the City Council.

26 Upon favorable majority vote of the City Council, the citizen shall be permitted to appear
27 at a regular or special session, at a time, place, and duration to be determined by the Council
28 President, to present his or her views on the docketed resolution or ordinance.
29

30 **RULE 21.** Meeting curfew.

31 (a) No new resolution or ordinance will be introduced for discussion after 11:30 p.m.

32 (b) The City Council will adjourn no later than midnight.

33 (c) Any business before the City Council not completed by midnight will be tabled to the
34 next available meeting. The Date shall be announced and determined by the Council
35 President.

36 (d) Waiver of this rule requires unanimous consent.
37
38

39 **RULES OF ORDER**

40
41 **RULE 22.** The Order of Precedence of motions shall be as follows:

42 1. Fix the time at which to adjourn.

43 2. Adjourn

44 3. Take a recess.

45 4. Raise a question of privilege.

46 5. Lay on the table.

47 6. Suspension of the rules.

48 7. Previous question.

49 8. Limit or extend limits of debate.

50 9. Postpone to a certain time.

51 10. Commit or refer.

52 11. Amend.

53 12. Postpone indefinitely.

54 13. A main motion.
55

56 The lowest in rank is at the bottom of the list, and the highest in rank is at the beginning
57 of the list. When any one of them is immediately pending, the motions before it on said list are
58 in order and shall be acted upon first, and those below are out of order.
59
60

RULE 23. The following motions shall be undebatable:

1. Fix the time at which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.

RULE 24. The following motions only can be amended:

1. Fix the time at which to adjourn.
2. Take a recess.
3. Postpone to a certain time.
4. Commit or refer.
5. Amend.
6. A main motion.

RULE 25. Votes on the following motions cannot be reconsidered:

1. Adjourn.
2. Take a recess.
3. Lay on the table
4. Take from the table.
5. Suspend the rules or order of business.
6. Reconsider, including the reconsideration of a Resolution or Ordinance vetoed by the Mayor.

VOTING

RULE 26. The President of the City Council shall distinctly put every question. No motion shall be debated until it has been seconded. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon or before an amendment is made to such motion.

On all Ordinances, Resolutions and questions in relation to and involving the expenditure of City Funds, the selling and leasing of City Property, acting on the Mayor's veto and the confirmation of appointments, the vote shall be by roll call. All roll calls shall be taken alphabetically, except that the name of the President of the Council shall be called first. The "Yeas" and "Nays" of the members of the Council shall be taken and entered on the records of said City Council.

After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any member of the City Council for any reason whatsoever, including points of order, personal privileges or for a member to explain his vote.

After the roll call and before the President announces the results, members may change or explain their vote. In case of a tie vote, the motion is not carried or passed.

RECONSIDERATION

RULE 27. When a vote has been passed, it shall be in order for any member voting with the prevailing side to move reconsideration thereof, in accordance with the provisions of these rules, at either the same or next subsequent meeting. The same Ordinance, Resolution, paper or vote shall come but once before the City Council for reconsideration. A motion for reconsideration must be seconded by a member of the prevailing side and must be voted upon at the same meeting in which it is made.

If the motion for reconsideration is made at the next subsequent meeting and adopted, then the vote on the merits of the matter being reconsidered shall be docketed and voted upon at the following meeting, unless notice of the reconsideration matter was posted in accordance with the Open Meetings Law, in which case, the vote on the merits of the matter being reconsidered shall take place at the same meeting as the motion for reconsideration was adopted.

1 **RULE 28.** Upon adoption of a motion to reconsider any ordinance or resolution, vetoes or dis-
2 approval of any separate appropriation item or items vetoed or reduced by the Mayor, the City
3 Council may reconsider the same, provided that said motion shall be adopted and the reconsider-
4 ation of such ordinance, resolution or appropriation item be taken up and voted upon at the next
5 regular or special meeting immediately following the Mayor's transmittal of the same to the City
6 Clerk.

7 If, upon reconsideration, six members shall vote in favor of passage, such ordinance,
8 resolution or appropriation item shall become effective notwithstanding the Mayor's action in
9 regard thereto. If said ordinance, resolution or appropriation item is not reconsidered and adopt-
10 ed as provided herein, the measure or item shall be lost, or stand reduced, as the case may be.
11 The vote upon such motion and reconsideration shall be by roll call.

12 13 14 **UNANIMOUS CONSENT**

15
16 **RULE 29.** Unanimous Consent. No undocketed business shall be acted upon or considered at
17 meetings except by unanimous consent of the Council Members present and after compliance
18 with the notice and other provisions of the Open Meetings Law.

19 Any member desiring to place an item before the Council under unanimous consent shall
20 cause notice of the matter to be posted in compliance with the provisions of the Open Meetings
21 Law and at the meeting the member shall state the title and give a brief description of the item.
22 The Council President shall then inquire if there be an objection from any member to the item's
23 consideration under unanimous consent. If there be no objection, the Council President shall as-
24 sign a docket number to said item and the moving Council Member may move said item for ac-
25 tion. If there be objection, the item shall not be assigned a docket number and shall not be con-
26 sidered under unanimous consent.

27 28 29 **DOCKETING**

30
31 **RULE 30.** (a) There shall be two regular monthly docketing sessions which shall be at the
32 conclusion of the Regular Business Meeting and of the Public Hearing Meeting.

33
34 (b) Items being docketed shall be announced by the Council Member wishing to docket
35 the same, whereupon the President shall announce that the item is docketed and it shall be re-
36 ferred by the President to an appropriate committee for study. The committee to which the item
37 is referred shall report on the same with its recommendations at the next regular business meet-
38 ing following the completion of its study and adoption of its report and recommendations.

39
40 (c) Within twenty-four (24) hours after a docket session, the City Clerk shall prepare and
41 cause to be printed a docket on which there will be a definite statement of all ordinances, resolu-
42 tions, orders and any other business to be considered at each meeting of the City Council. The
43 docket shall include: the title of the proposed ordinance, resolution or order; a brief description
44 of its contents; the name of the Council Member proposing same; and the Committee to which
45 said matter has been referred.

46
47 (d) In said preparation, the City Clerk shall assign to all proposed resolutions and ordi-
48 nances a "Proposed Resolution Number" or "Proposed Ordinance Number" as the case may be.
49 Such numbers shall be in addition to the docket numbers assigned each item and may be desig-
50 nated as "PCR" or "PCO" numbers, respectively. Such "PCR" or "PCO" numbers together with
51 the title of the proposed resolution or ordinance to be assigned as herein provided, shall be the
52 official designation for the resolution or ordinance to which it is assigned at all stages of proceed-
53 ings prior to its becoming effective.

54
55 (e) The Mayor and Members of the Council having ordinance, resolutions, orders, reports
56 and other business to present to the Council for consideration, other than executive communica-
57 tions and the reports of committees regarding items appearing upon the docket which have been
58 referred to the reporting committee, shall submit a brief outline of said ordinance, resolution, or-
59 der, or report, that the same may be printed on the docket.

1 (f) It shall be the responsibility of the Council Solicitor to prepare a complete draft of the
2 proposed item, including its title, and to present the same to the City Clerk by 1 o'clock p.m. of
3 the 12th day preceding the regular business session or the 5th day preceding the regular public
4 hearing session, whichever shall apply. The City Clerk shall make the said draft available to the
5 sponsoring council member who shall return it to the City Clerk's Office in final form by 1
6 o'clock p.m. on the 10th day preceding the regular business session. If the regular business meet-
7 ing is rescheduled due to a holiday, then the items for the public hearing meeting need not be
8 presented to the City Clerk until the 4th day preceding the regular public hearing meeting.

9
10 (g) The Council Solicitor shall draft all ordinances and resolutions utilizing a system
11 whereby the text of a proposed new ordinance shall be underlined; any amendment to any exist-
12 ing ordinance will provide for new language to be added to be underlined and any language to be
13 deleted shall be crossed through. All proposed ordinances and resolutions shall be printed on
14 paper delineating line numbers for ease in reference to specific parts of the proposed ordinance or
15 resolution.

16
17 (h) No items or business shall be considered as having been introduced unless it shall
18 have been so presented at the docket session and ordered to appear on the printed docket, as is so
19 prepared and presented in final and complete proposed form to the City Clerk, all as required by
20 these rules, unless the Council by the unanimous vote of those present shall allow the introduc-
21 tion of such from the floor without it having been so presented, docketed, prepared and presented
22 to the City Clerk.

23
24 (i) The City Clerk shall cause to be prepared copies of the docket and copies of each item
25 thereon in final and complete form and shall cause a copy of said docket and of each of said
26 items to be delivered to each member of the Council by 8 o'clock p.m. on the 10th day preceding
27 the business session. Items docketed for the public hearing shall be mailed by 8 o'clock of the
28 5th day preceding the public hearing session, unless the business meeting was rescheduled due to
29 a holiday, in which case the items docketed for the public hearing meeting shall be mailed by 8
30 o'clock of the 4th day preceding the public hearing session.

31
32 (j) Copies of all claims pending before the City Council shall be mailed to each member
33 of the Council five (5) days prior to the Regular Business Meeting.

34
35 (k) All petitioners for matters to be heard at the public hearing shall provide eleven (11)
36 copies of reports and other exhibits to be presented at the public hearing, to the City Clerk at least
37 ten (10) days in advance of the public hearing so that the City Clerk can mail said items with the
38 docket for the public hearing meeting. This requirement to pre-submit reports and exhibits shall
39 not preclude a petitioner from submitting amended or revised reports and exhibits at the public
40 hearing.

41
42 (l) On the day of mailing of said docket, the City Clerk shall cause to be posted on a bul-
43 letin board in the lobby of City Hall a copy of the docket as delivered to the Council Members.
44 On the date of the business session or public hearing, as the case may be, the City Clerk shall
45 cause to be printed and available a sufficient number of copies of the docket for the benefit of the
46 public who may be in attendance at such Council meeting.

47
48 (m) Upon becoming effective, the City Clerk may assign to such proposed resolution or
49 ordinance any number consistent with the indexing and filing requirements of the Clerk's Office.

50
51 (n) Council members must provide ample information for the Council Solicitor to effec-
52 tively draft their proposed resolutions or ordinances. It is foreseeable that circumstances may
53 warrant pending legislation be continued to a date later than the one originally scheduled. How-
54 ever, no legislation may be continued for a period to exceed 60 calendar days from the date it was
55 originally scheduled to be heard and remain as a docketed item.

56 Once a proposed ordinance or resolution has been continued 60 calendar days from the
57 date on which it originally appeared on the Docket, the City Clerk will place the item in a Future
58 Legislation File until the item has been completed.

59 When the Council Solicitor has received sufficient information from the Sponsor to draft
60 the desired legislation, it shall be redocketed. The City Clerk will then add the proposed ordi-
61 nance/resolution to the next scheduled City Council Docket.

1 The City Clerk shall note on the Docket those items that are undrafted and which will not
2 be acted upon.

3 4 **APPOINTMENTS; CONFIRMATION OF APPOINTMENTS**

5
6 **RULE 31.** Appointments. For any City Council appointment to a board or commission, no
7 later than sixty days prior to the expiration of the term of the position which is to become vacant,
8 the City Clerk shall notify the Chair of the Appointments Committee of said position and the date
9 upon which the term expires. The City Clerk shall also send a copy of said notice to every mem-
10 ber of the City Council.

11 No later than thirty days prior to the expiration of the term, any Council member who de-
12 sires to submit the name of a person to be considered for the appointment, must submit to the
13 Chair of the Appointments Committee, the name, address and a resume of the person to be con-
14 sidered (hereinafter referred to as “biographical information”). The Chair of the Appointments
15 Committee shall provide the biographical information for each prospective appointee to the City
16 Clerk, who shall mail the information to each member of the City Council with the docket for the
17 first Regular Business Meeting of the month following the expiration of the thirty day period for
18 submitting names. The City Clerk shall add the appointment matter to the Docket for the same
19 Regular Business Meeting.

20 The Appointments Committee, at its meeting for the Regular Council Business Meeting,
21 shall review and consider biographical information about the prospective appointees, as well as
22 take comments from other members of the Council and the public about the prospective appoin-
23 tees. The prospective appointees should make every effort to be at the Appointments Committee
24 meeting to answer any questions from members of the Committee or members of the City Coun-
25 cil. Any prospective appointee who is currently serving on the board or commission to which he
26 or she is seeking reappointment shall be excused from appearing before the Appointments Com-
27 mittee and/or the full City Council if the Appointments Committee or City Council meeting time
28 conflicts with the time of the meeting of the board or commission on which the prospective ap-
29 pointee currently serves.

30 At the next regularly scheduled council meeting, the Appointments Committee shall vote
31 to make a recommendation to the City Council of a person to be appointed to the board or com-
32 mission with the expiring term. However, by a majority vote of the Appointments Committee or
33 of the City Council, consideration of any appointment may be continued to any future meeting of
34 the council.

35
36 **RULE 32.** Confirmation of Appointments. Any appointment by the Mayor, Council President or
37 any other appointing authority requiring confirmation of the City Council shall be submitted to
38 the City Council no later than five days before the Regular Business Meeting of each month.
39 Concurrently with the submission of the appointment to the City Council, copies of appointments
40 and a brief biographical sketch of each prospective appointee shall be provided to each Council
41 person for their consideration

42 The Appointments Committee, at its meeting for the Regular Council Business Meeting,
43 shall review and consider the biographical sketches of the prospective appointees, as well as take
44 comments from other members of the Council and the public about the prospective appointees.
45 The prospective appointees should make every effort to be at the Appointments Committee meet-
46 ing to answer any questions from members of the Committee or members of the City Council.
47 Any prospective appointee who is currently serving on the board or commission to which he or
48 she is seeking reappointment shall be excused from appearing before the Appointments Commit-
49 tee and/or the full City Council if the Appointments Committee or City Council meeting time
50 conflicts with the time of the meeting of the board or commission on which the prospective ap-
51 pointee currently serves.

52 The Appointments Committee shall vote to make a recommendation to the City Council
53 of a person to be appointed to the board or commission with the expiring term at the next regular-
54 ly scheduled council meeting. However, by a majority vote of the Appointments Committee or
55 of the City Council, consideration of any appointment may be continued to any future meeting of
56 the council.

SPECIAL MATTERS
Wetlands, Zoning, Purchase & Sale of Land, Abandonments

RULE 33. All persons who testify regarding petitions for Wetlands approval, street abandonment or change of zone pending before the City Council shall offer such testimony under oath or affirmation, whenever required by the Council President.

RULE 34. Applications under the “Wetlands Act” (G.L. 2-1-1 et seq. As amended).

1. All applications for approval to alter wetlands pursuant to Chapter 2-1 of the General Laws of Rhode Island, as amended, shall be accompanied by a list of all abutting property owners within two hundred (200’) feet of the property in question. Upon receipt of such an application, the City Clerk shall forward the same to each member of the Council. The Clerk shall also refer the application to the Planning Board, which agency shall make a study of such application and report its findings and recommendations as soon as possible prior to the scheduled public hearing.

2. The City Clerk shall immediately docket the application for public hearing at the earliest regular or special scheduled meeting of the City Council, consistent with the notice requirements as set forth in this section.

At least seven (7) days prior to such public hearing, the City Clerk shall cause notices of the scheduled public hearing to be sent to the petitioner and all abutting property owners within the two hundred (200’) feet of the property in question and shall cause a notice of the scheduled public hearing to be advertised in a newspaper of general circulation in the City of Warwick. All costs incurred by the City Clerk in sending notices and advertising of the scheduled public hearing as provided herein shall be assessed to and paid by the applicant.

3. In the event any application for approval to alter wetlands is withdrawn or denied, no application seeking approval to alter the same or substantially the same wetland shall come before the City Council for public hearing within one (1) year from the date of such denial or withdrawal.

4. After final action by the City Council at the public hearing, the City Clerk shall cause a notice of such action to be sent to the Department of Environmental Management of the State of Rhode Island provided however, that final action by the City Council in recommending wetlands applications shall be contingent on no changes being made in the application or plans presented in conjunction with said application after passage of a recommendation by the City Council and that a statement to this effect be included in each resolution adopted in connection therewith.

RULE 35. (a) No petition for change of zone shall come before the City Council for hearing until Petitioners have submitted and had considered by the Planning Board a specific plan including all necessary elements including, but not limited to, drainage, traffic, easements, parking and physical location of the planned project on the subject parcel.

(b) Whenever a public hearing on a petition for a change of zone or an amendment to the Comprehensive Plan is continued beyond a second scheduled City Council meeting and the continuance is requested by or caused by the Petitioner, for the third meeting and for each subsequent meeting at which the matter is scheduled for public hearing, the petitioner shall send notice by mail to the abutters in the same form and manner as was done by the City Clerk for the initial public hearing. The cost of the additional mail notices and advertising shall be paid by the petitioner. At least three days prior to the scheduled public hearing, the petitioner shall file with the City Clerk an affidavit of compliance with this rule, a copy of the notice which was mailed and the return receipts for the notices.

RULE 36. (a) All ordinances and resolutions involving the purchase or acquisition of land or the sale or leasing of City owned land or tax sale land, or the change of the Zoning Ordinance shall be accompanied by a blueprint or plan showing the location, area and other necessary details of the same and copies of such blueprint or plan shall be furnished each member of the City Council at least five (5) days prior to the meeting at which such matter shall be acted upon.

1 In addition, whenever a petitioner petitions for a change of zone, and such petition in-
2 volves the rezoning of a portion of a lot, it shall be the responsibility of the petitioners, at least
3 five (5) days prior to the hearing thereon, to prepare and submit to the City Clerk a metes and
4 bounds description of the portion of said lot sought to be included in the change of zone.
5

6 (b) The City Treasurer shall prepare completed packages on all matters concerned with
7 the sale or leasing of land to the City Clerk at least seven (7) days prior to the regular business
8 meeting at which such matters shall be acted upon, and the City Clerk shall mail copies of these
9 completed packages to all members of the City Council at least five (5) days prior to said meet-
10 ing at which such matters shall be acted upon.
11

12 **RULE 37.** Any petition for street abandonment shall require passage at two Council sessions be-
13 fore approval shall become effective.
14

15 **RULE 38.** Effect of denial or withdrawal.

16 1. Should any petition for change of zone brought pursuant to the Zoning Ordinance of the City
17 of Warwick be denied or withdrawn, no petition seeking the same change of zone for the same or
18 substantially the same land shall come before the Council for public hearing within one year
19 from the date of such denial or withdrawal.
20

21 2. Any petition, application or abandonment, other than a petition seeking a change of zone
22 which is denied or withdrawn may not come before the City Council within one (1) year from the
23 date of such denial or withdrawal. All withdrawals shall be treated as a denial.
24

25 3. Upon withdrawal of petitions, any person who is in opposition to such petition shall be able to
26 sign a sheet furnished by the City Clerk indicating their objection, which shall then be included
27 in the official record of the Council meeting.
28
29

30 **AMENDMENT OF RULES; LEGAL OPINIONS; PUBLIC COMMENT**

31

32 **RULE 39.** The foregoing rules shall not be altered, amended, suspended, or repealed at any time
33 except by the vote of the majority of the whole number of members elected to the City Council.
34

35 **RULE 40.** All written legal opinions, prepared by the Council Solicitor at the request of any
36 Council member, shall be mailed to each Council member as soon as the opinion has been com-
37 pleted.
38

39 **RULE 41.** After the Docket Session at each City Council meeting there shall be a fifteen minute
40 period during which citizens may comment about Warwick city government issues subject to the
41 following stipulations:

- 42 a) The total period of time for public comment shall be 15 minutes. Comments need to be
- 43 brief in order to allow as many citizens as possible to participate.
- 44 b) The topics for comment shall be issues directly affecting City government.
- 45 c) City Council members will not respond to questions during the public comment period.
- 46 d) The public comment session will terminate at the expiration of 15 minutes or at midnight
- 47 even if the full 15 minutes have not expired, whichever is earlier. Waiver of this provi
- 48 sion requires unanimous consent.
49

50 This Resolution shall take effect upon passage.

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

NO. R-15-116 DATE 10/19/15

APPROVED  MAYOR

**RESOLUTION TO AMEND THE COUNCIL RULES TO AMEND THE MEETING
SCHEDULE FOR THE CITY COUNCIL**

Resolved that,

WHEREAS, the health, safety and welfare of the citizens of the City of Warwick are matters of paramount importance to the City Council; and

WHEREAS, the City Council rule establishing the schedule of meetings states as follows:

RULE 15. Except in July and August, the City Council shall hold its regular meetings, both business and public hearing, in the Council Chambers located at the Warwick City Hall at 7:00 p.m. on the second and third Monday in each month, except in April, 2011 when the Public Hearing Meeting shall be held on the fourth Monday of the month.

If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the following Wednesday. The President shall take the chair at the hour designated for the meeting of the City Council, and shall promptly call the members to order.

There shall be one regular meeting in July and August that combines the Regular Business Meeting and the Public Hearing Meeting to be held on the second Monday of the month of July and the third Monday of the month of August.; and

WHEREAS, the City Council desires to change the schedule of meetings to the first and third Mondays of each month commencing January, 2016.

NOW, THEREFORE BE IT RESOLVED that the Warwick City Council hereby amends Rule 15 of the City Council Rules to state as follows:

RULE 15. Except in July and August, the City Council shall hold its regular meetings, both business and public hearing, in the Council Chambers located at the Warwick City Hall at 7:00 p.m. on the ~~second~~ first and third Monday in each month, ~~except in April, 2011 when the Public Hearing Meeting shall be held on the fourth Monday of the month.~~

If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the following Wednesday. The President shall take the chair at the hour designated for the meeting of the City Council, and shall promptly call the members to order.

32 There shall be one regular meeting in July and August that combines the Regular
33 Business Meeting and the Public Hearing Meeting to be held on the second Monday of the
34 month of July and the third Monday of the month of August.
35

36 The City Clerk is hereby directed to forward a copy of this Resolution to all the Directors
37 of the City Departments.
38

39 This Resolution shall take effect upon passage and the revised meeting schedule shall
40 take effect January, 2016.
41

42
43 SPONSORED BY: COUNCIL PRESIDENT TRAVIS
44

45
46 COMMITTEE: UNANIMOUS CONSENT
47